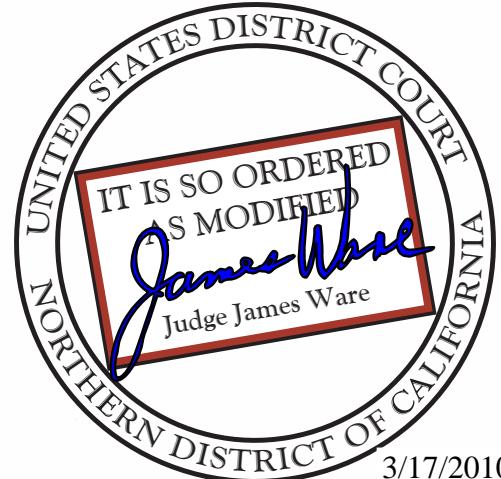


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Attorneys for Plaintiff  
CHONG'S PRODUCE, INC.



3/17/2010

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

## CHONG'S PRODUCE, INC.

Case No. C-09-01013 JW (PVT)

**Plaintiff,**

**NOTICE OF DISMISSAL BY  
STIPULATION**

PREMIUM FRESH FARMS, LLC, a California limited liability company; EMMITT PFOST, an individual; SALVADOR P. TARANTINO, an individual; PAUL E. DUNHAM, an individual; PDP ASSOCIATES, LLC, a California limited liability company; and AG HARVESTING & TECHNOLOGIES, LLC, a California limited liability company;

## Defendants

PLEASE TAKE NOTICE that an agreement has been reached between Plaintiff Chong's Produce, Inc. and the defendants Premium Fresh Farms, LLC, Emmitt Pfost, PDP & Associates, LLC, and AG Harvesting & Technologies, LLC for a full and final settlement of this matter. Plaintiff Chong's Produce, Inc. hereby request that the action is dismissed, each party to bear their own costs and attorney's fees.

The Court terminates any remaining pending deadlines, hearings or motions. The Clerk shall close this file.

Dated: March 17, 2010

~~United States District Judge~~

STIPULATION DISMISSAL  
C-09-01013 PVT

1 **PRATT AND ASSOCIATES**

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17 Facsimile (831) 754-1201

18 Attorneys for Defendants Premium Farm  
19 Fresh, LLC and AG Harvesting &  
20 Technologies, LLC

21 **EMMITT PFOST**

22 Signature: \_\_\_\_\_

23 Print Name: \_\_\_\_\_

24 Date: \_\_\_\_\_

25 On behalf of himself and PDP & Associates,  
26 LLC

1 **PRATT AND ASSOCIATES**

2 By: \_\_\_\_\_

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20 Technologies, LLC

21 **EMMITT PFOST**

22 Signature: \_\_\_\_\_

23 Print Name: \_\_\_\_\_

24 Date: \_\_\_\_\_

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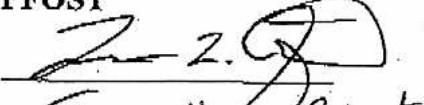
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18 Attorneys for Defendants Premium Farm  
19 Fresh, LLC and AG Harvesting &  
20 Technologies, LLC

21 EMMITT PFOST

22 Signature: 

23 Print Name: Emmitt Pfoст

24 Date: 2/26/10

**CASE NAME:** Chong's Produce, Inc. v. Premium Fresh Farms, et al.  
**Case Number:** C-09-01013 JW (PVT)

**PROOF OF SERVICE**

I am a citizen of the United States. My business address is The PruneYard Tower I, 1901 South Bascom Avenue, Ste. 350, Campbell, CA 95008. I am employed in the county of Santa Clara where this service occurs. I am over the age of 18 years and not a party to the within cause.

On March 11, 2010 I served the following documents described as:

**NOTICE OF DISMISSAL BY STIPULATION**

- BY MAIL:** I am readily familiar with my employer's normal business practice of collection and processing of correspondence for mailing. Under that practice, correspondence is deposited with the U.S. Postal Service that same day in a sealed envelope(s) with postage thereon fully prepaid at Campbell, California, in the ordinary course of business.
- BY FAX:** I served said document(s) by transmitting via facsimile from facsimile number (408) 369-0752 to the facsimile number(s) set forth below, or as stated on the attached service list, on this date before 5:00 p.m. A statement that this document was successfully transmitted without error is hereby attached to the Proof of Service.
- BY OVERNIGHT DELIVERY:** I caused such envelope(s) to be delivered on the same day to an authorized courier or driver or to a regular box or other facility regularly maintained by **FEDERAL EXPRESS** with delivery fees provided for, addressed to the person(s) on whom it is to be served.

on the interested party(ies) in this action addressed as follows:

**STATE:** I declare under penalty of perjury under the laws of the State of California that the above is true and correct.

**FEDERAL:** I declare that I am employed in the office of a member of the bar of this Court whose direction of the service was made. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Emmitt Pfost (In Pro Per)  
& PDP & Associates, LLC  
9 Santa Lucia Avenue  
Salinas, CA 93908  
Tel: (831) 262-8055

### Defendants

Executed on March 11, 2010, at Campbell, California.

/s/ Emily A. Khasin  
Emily A. Khasin

UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN DISTRICT OF CALIFORNIA

CHONG'S PRODUCE, INC.,

Case Number: CV09-01013 JW

Plaintiff,

**CERTIFICATE OF SERVICE**

v.

PREMIUM FRESH FARMS, LLC., ET AL.  
Defendant.

/

I, the undersigned, hereby certify that I am an employee in the Office of the Clerk, U.S. District Court, Northern District of California.

That on March 17, 2010, I SERVED a true and correct copy(ies) of the attached, by placing said copy(ies) in a postage paid envelope addressed to the person(s) hereinafter listed, by depositing said envelope in the U.S. Mail, or by placing said copy(ies) into an inter-office delivery receptacle located in the Clerk's office.

Emmitt Pfost  
9 Santa Lucia Avenue  
Salinas, Ca 93908

Dated: March 17, 2010

Richard W. Wiekking, Clerk  
By: Elizabeth C. Garcia, Deputy Clerk